

Application No.: 10/621,976
Date of Response: 08/11/2005
Reply to Action of: 08/01/2005

REMARKS

This reply is being entered in response to the Office Action of June 1, 2005. In this Office Action, the Examiner made the following objections and rejections:

- 5 1. Rejection of claims 152-165, 172-176, 187-217 and 225-231 under 35 USC 103(a) in view of USP 6,504,559 and USP 6,717,686.
2. Rejection of claims 177-179, 223 and 224 under 35 USC 103(a) in view of USP 6,504,559 and USP 6,717,686 in further view of USP 5,069,954.
- 10 3. Rejection of claims 180-185 under 35 USC 103(a) in view of USP 6,504,559 and USP 6,717,686 in further view of US patent application 2004/0046788.
4. Rejection of claims 186 and 218-222 under 35 USC 103(a) in view of USP 6,504,559 and USP 6,717,686 in further view of USP 5,631,057.
- 15 5. Claims 166-171 were substantially allowed.

The Examiner has substantially allowed claim 166 and its dependents by indicating such claims would be allowed if rewritten in independent form. Applicants have amended claim 166 in accordance with the Examiner's suggestion. It is respectfully submitted that claim 166 is in condition for
20 allowance. As claims 167-171 depend, either directly or indirectly, upon claim 166, such dependent claims are also in condition for allowance.

Similarly, applicants have amended independent claims 152, 230, and 231 to recite the limitation that the Examiner found allowable. As all claims currently under consideration depend, either directly or indirectly, from claim 152, 166, 230
25 or 231, it is respectfully submitted that all claims are now in condition for allowance. Reconsideration is respectfully requested.

1. Rejection of claims 152-165, 172-176, 187-217 and 225-231 under 35 USC 103(a) in view of USP 6,504,559 and USP 6,717,686

30 The Examiner has rejected certain claims under 35 USC 103, stating:

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Claims 152-165, 172-176, 187-217 and 225-231 are rejected under 35 USC 103(a) as being unpatentable over Newton et al (6,504,559) in view of Farros et al (6,717,868).

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Elsewhere in the same office action, the Examiner found allowable subject matter, stating on page 6, beginning at line 16:

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The particular requirement of heating the ceramic ink image on the ceramic substrate at the defined temperature for the defined time duration in the defined atmosphere and to have about 5 weight percent of the binder remaining as a solid phase afterwards in combination with the rest of the method steps are not taught by the prior art of record.

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The applicants would like to thank the Examiner for this acknowledgement. However, applicants would also like to note that the claims recite the limitation "less than about 5 weight percent" and not "about 5 weight percent."

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With regard to the present rejection of claims 152-165, 172-176, 187-217 and 225-231, while the applicants do not necessary agree with the Examiner's rejection, to facilitate the prosecution of this application the applicants have amended the corresponding independent claims (152, 230, and 231) to recite the limitation that the Examiner found allowable. The applicants specifically wish to retain the right to argue such supposed obviousness rejection in a continuation application. Claims 164 and 165 have been canceled without prejudice, as they are now redundant with respect to claim 152.

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As the claims 152, 230 and 231 now contain at least one limitation not taught or suggested in the prior art of record, it is respectfully submitted that claims 152, 230 and 231 are in condition for allowance. Moreover, since all claims in the application depend, either directly or indirectly, from these claims, it is respectfully submitted that all claims currently under Examination are in condition for allowance. Reconsideration is respectfully requested.

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2. Rejection of claims 177-179, 223 and 224 under 35 USC 103(a) in view of USP 6,504,559 and USP 6,717,686 in further view of USP 5,069,954

The Examiner has rejected certain claims under 35 USC 103, stating:

5 Claims 177-179, 223 and 224 are rejected under 35
 USC 103(a) as being unpatentable over Newton et al
 in view of Farros et al as applied to claims 152 and
 176 above, and further in view of Cole et al
10 (5,069,954).

 As previously discussed the Examiner found allowable subject matter
 elsewhere in the claims as filed. Reference may be had to the June 1, 2005
 Office Action on page 6, beginning at line 16.

 With regard to the present rejection of claims 177-179, 223 and 224, while
15 the applicants do not necessary agree with the Examiner's rejection, to facilitate
 the prosecution of this application the applicants have amended the
 corresponding independent claim (claim 152) to recite the limitation that the
 Examiner found allowable. The applicants specifically wish to retain the right to
 argue such supposed obviousness rejection in a continuation application.

20 As claim 152 now contains at least one limitation not taught or suggested
 in the prior art of record, it is respectfully submitted that claim 152 is in condition
 for allowance. Moreover, since all claims in the present rejection depend, either
 directly or indirectly, from claim 152, it is respectfully submitted that all claims that
 depend from claim 152 are in condition for allowance. Reconsideration is
25 respectfully requested.

3. Rejection of claims 180-185 under 35 USC 103(a) in view of USP 6,504,559 and USP 6,717,686 in further view of US patent application 2004/0046788

30 The Examiner has rejected certain claims under 35 USC 103, stating:

 Claim 180-185 are rejected under 35 USC 103(a) as
 being unpatentable over Newton et al in view of
 Farros et al as applied to claim 152 above, and further
35 in view of Keanne et al (US 2004/0046788).

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As previously discussed the Examiner found allowable subject matter elsewhere in the claims as filed. Reference may be had to the June 1, 2005 Office Action on page 6, beginning at line 16.

5 With regard to the present rejection of claims 180-185, while the applicants do not necessary agree with the Examiner's rejection, to facilitate the prosecution of this application the applicants have amended the corresponding independent claim (claim 152) to recite the limitation that the Examiner found allowable. The applicants specifically wish to retain the right to argue such supposed obviousness rejection in a continuation application.

10 As claim 152 now contains at least one limitation not taught or suggested in the prior art of record, it is respectfully submitted that claim 152 is in condition for allowance. Moreover, since all claims in the present rejection depend, either directly or indirectly, from claim 152, it is respectfully submitted that all claims which depend from claim 152 are in condition for allowance. Reconsideration is
15 respectfully requested.

4. Rejection of claims 186 and 218-222 under 35 USC 103(a) in view of USP 6,504,559 and USP 6,717,686 in further view of USP 5,631,057

The Examiner has rejected certain claims under 35 USC 103, stating:

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Claims 186 and 218-222 are rejected under 35 USC 103(a) as being unpatentable over Newton et al in view of Farros et al as applied to claim 152 above, and further in view of Sundet (5,631,057).

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As previously discussed the Examiner found allowable subject matter elsewhere in the claims as filed. Reference may be had to the June 1, 2005 Office Action on page 6, beginning at line 16.

30 With regard to the present rejection of claims 186 and 218-222, while the applicants do not necessary agree with the Examiner's rejection, to facilitate the prosecution of this application the applicants have amended the corresponding independent claim (claim 152) to recite the limitation that the Examiner found allowable. The applicants specifically wish to retain the right to argue such supposed obviousness rejection in a continuation application.

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As claim 152 now contains at least one limitation not taught or suggested in the prior art of record, it is respectfully submitted that claim 152 is in condition for allowance. Moreover, since all claims in the present rejection depend, either directly or indirectly, from claim 152, it is respectfully submitted that all claims
5 which depend from claim 152 are in condition for allowance. Reconsideration is respectfully requested.

5. Claims 166-171 were substantially allowed

The Examiner has indicated that certain claims are substantially allowed,
10 stating:

Claims 166-171 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the
15 limitations of the base claim and any intervening claims.

In accordance with the Examiner's suggestion, applicants have amended claim 166 in independent form, including all of the limitations of the base claim
20 and any intervening claims. It is respectfully submitted that claims 166-171 are in condition for allowance. Reconsideration is respectfully requested.

CONCLUSION

In accordance with the Examiner's suggestion, the applicants have
25 rewritten claim 166 in independent format. Applicants have also amended the independent claims of the application so as to recite limitations not taught or suggested in the prior art.

Applicants respectfully request reconsideration and that a timely Notice of Allowance be issued in this case. If, for any reason, the Patent Examiner
30 believes that a telephone conference with applicants' agent might in any way facilitate the prosecution of this case, the Examiner is respectfully requested to call the undersigned.

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To the extent necessary, please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 50-2753 and credit any excess fees to such deposit account. If necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby
5 made.

Respectfully submitted,
Howard J. Greenwald P.C.

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